



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY (NEWARK)

Caption in Compliance with D.N.J. LBR 9004-1
2010-4149

Powers Kirn, LLC
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In Re:

Marcia A. Harris

Order Filed on October 15,
2018 by Clerk, U.S. Bankruptcy
Court - District of New Jersey

Case No.: 18-23981-SLM

Chapter: 13

September 28, 2018
Hearing Date: August 22, 2018

Judge: Honorable Stacey L. Meisel

Recommended Local Form:

Followed

Modified

**ORDER VACATING STAY AND ALLOWING PROSPECTIVE
IN REM RELIEF AS TO REAL PROPERTY**

The relief set forth on the following page is hereby **ORDERED**.

DATED: October 15, 2018

Honorable Stacey L. Meisel
United States Bankruptcy Judge

Upon the motion of Powers Kirn, LLC, Attorneys for Wells Fargo Bank, N.A. (“Wells Fargo”) debtor(s)’ mortgagee, under Bankruptcy Code Section 362(d) and 105(a) for relief from the automatic stay and Bankruptcy Code Section 1301 for relief from the co-debtor stay and prospective in rem relief as to certain property as hereinafter set forth, and for cause, it is

ORDERED that the automatic stay of 11 U.S.C. §362(a) and the co-debtor stay of 11 U.S.C. §1301 are hereby vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

- Real property more fully described as 477 Elkwood Terrace, Englewood, NJ 07631-1937.

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff’s sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu of foreclosure. Additionally, any purchaser of the property at sheriff’s sale (or purchaser’s assignee) may take any legal action for enforcement of its right to possession of the property.

It is further ORDERED that the movant, its successors and assigns are granted prospective in rem relief as to the subject property, 477 Elkwood Terrace, Englewood, NJ 07631-1937, and may proceed without further Order of this Court in the event of any bankruptcy filed subsequent to the commencement of the instant case.

- Personal property more fully described as:

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, and any trustee and any other party who entered an appearance on the motion.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
 Marcia A Harris
 Debtor

Case No. 18-23981-SLM
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Oct 16, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 18, 2018.

db +Marcia A Harris, 477 Elkwood Terrace, Englewood, NJ 07631-1937

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 18, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 16, 2018 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Toyota Lease Trust dcarlon@kmllawgroup.com,
 bkgroup@kmllawgroup.com
 Kevin Gordon McDonald on behalf of Creditor Toyota Lease Trust kmcdonald@kmllawgroup.com,
 bkgroup@kmllawgroup.com
 Marie-Ann Greenberg magecf@magrue.com
 Milica A. Fatovich on behalf of Unknown Role Type Donald V. Biase mfatovich@hookandfatovich.com,
 fyablonsky@hookandfatovich.com
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
 Walter D. Nealy on behalf of Debtor Marcia A Harris nealylaw@gmail.com,
 r43366@notify.bestcase.com;walterdnealy-pc-5pBm29TvkU@mycasemail.com
 Walter D. Nealy on behalf of Creditor Wells Fargo Bank, N.A. nealylaw@gmail.com,
 r43366@notify.bestcase.com;walterdnealy-pc-5pBm29TvkU@mycasemail.com
 William M.E. Powers on behalf of Creditor Wells Fargo Bank, N.A. ecf@powerskirk.com
 William M.E. Powers, III on behalf of Creditor Wells Fargo Bank, N.A. ecf@powerskirk.com
 TOTAL: 9